

08-20-04

PATENT

JRW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Cudmore, et al.)
Serial No.: 10/771,065) Confirmation No. 2236
Filing Date: February 3, 2004) Art Unit: 3672
For: System and Method for Optimizing) Attorney Docket No.: 102.0026 US
Production in an Artificially Lifted Well)

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO RESET THE PERIOD FOR REPLY TO
NOTICE OF MISSING PARTS OF NONPROVISIONAL APPLICATION

Dear Sir:

Applicant respectfully requests that the Commissioner consider this Petition to Reset the Period for Reply and waive the fee for requesting an extension of time based on the following facts:

1. The subject application was filed on February 3, 2004. Our return postcard was date-stamped as received by the U.S. Patent and Trademark Office ("PTO") on February 3, 2004 and accorded Serial No. 10/770,918. A copy of the date-stamped postcard from the PTO is attached as Exhibit A.
2. On July 22, 2004, Rhonda Smith, the IP Administrator of Applicant's attorney, determined that the official Filing Receipt had not been received from the PTO, at which time Ms. Smith telephoned the Office of Initial Patent Examination ("OIPE") and inquired about the Filing Receipt.
3. In response to this phone inquiry, M. Young of the OIPE sent a copy of the Filing Receipt to Ms. Smith by fax. Included with the Filing Receipt was a Notice to File Missing Parts of

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8 & 1.10

I hereby certify that this document and its attachments are being sent on the date indicated below to Mail Stop Missing Parts, Commissioner for Patents, Alexandria, VA 22313-1450 by:

facsimile to number _____

first class mail

Express Mail: Post Office to Addressee No. EV 335954496 US

August 27, 2004
Date

Rhonda J. Smith
Rhonda J. Smith

10771065
50247508/31/2004 EFLINES 00000006 130.00 DA
01 FC:1460

Nonprovisional Application, which was originally dated as having been mailed from the PTO on May 3, 2004. A response deadline of two months to July 3, 2004 was set. A copy of this fax transmission from the OIPE is attached as Exhibit B.

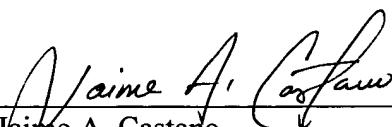
4. According to M. Young, since the official Filing Receipt and the Notice to File Missing Parts was not received until July 22, 2004, and the two-month time period in which to respond had expired, the OIPE should have set a new period for reply.
5. In response to M. Young's request, attached as Exhibit C is a print screen from Applicant's attorney's docketing system indicating that the deadline for filing a response to the Notice of Missing Parts was added to this record on July 26, 2004 by Gabriella Scott of attorney's office after receipt of the official Filing Receipt from the OIPE. Since the time period in which to respond had expired, and based on the statement of M. Young of the OIPE, an extended deadline of **September 22, 2004** (two months from receipt of the Notice to File Missing Parts) was docketed.

Based on this information, Applicant respectfully requests that the Commissioner consider this Petition to Reset the Period for Reply based on the facts presented above with supporting documents, and waive the fee for requesting an extension of time. The resetting of this Period for Reply would then extend the deadline to **September 22, 2004**.

Please charge the Petition fee of \$130 as set forth in 37 CFR 1.17(h) to Deposit Account No. 50-2475. No additional fees are thought to be necessary. However, should such fees be deemed necessary, please charge any fees and credit any overpayment to Deposit Account No. 50-2475.

Respectfully Submitted,

Date: August 27, 2004


Jaime A. Castano
Registration Number 41,660

Intellectual Property Counsel
Schlumberger Reservoir Completions Center
14910 Airline Road
Rossharon, Texas 77583
Phone (281) 285-5476
Fax (281) 285-5537



EXHIBIT A

Applicant: Julian R. Cudmore, et al. Docket No: 102.0026 February 3, 2004
Serial No: To be assigned
Date Filed: February 3, 2004
For: System and Method for Optimizing Production in an Artificially Lifted Well

Dear Sir:

Kindly acknowledge receipt of the enclosed materials by placing your mailroom stamp on this postcard and returning same. The following items were transmitted by Express Mail on the above date:

1. Utility Patent Application Transmittal
2. Fee Calculation Sheet (in duplicate)
3. Specification, Claims and Abstract
4. Formal Drawings (11 sheets)
5. Information Disclosure Statement with Copies of Citations
6. Post card

031356 U.S. PTO
10/771065

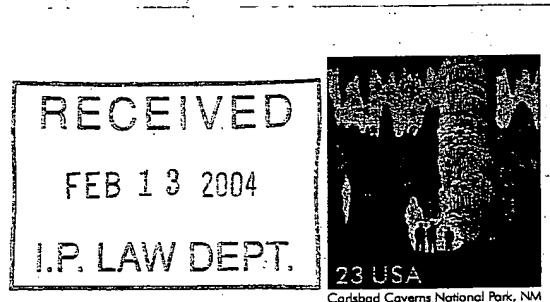
Thank you,



Rhonda J. Smith
Express Mail Label No. EV 335954425 US

mtv RJS

BEST AVAILABLE COPY



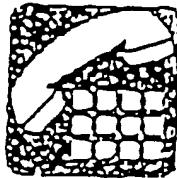
IP Law Department
Schlumberger Reservoir Completions Center
P.O. Box 1590
Rosharon, Texas 77583-1590

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U.S. Department of Commerce
Patent and Trademark Office
Office of Initial Patent Examination (OIPE)

EXHIBIT B



RECEIVED
JUL 22 2004
I.P. LAW DEPT.

DATE: July 22, 04 102.0026

SEND TO: Rhonda Smith

Fax Number: 281-285-5537

Office Telephone Number: _____

FROM: M. Young

Fax Number: _____

Office Telephone Number: REST AVAILABLE COPY

Pages Sent (Including cover sheet) 13

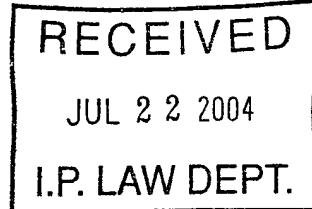


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/771,065	02/03/2004	Julian R. Cudmore	102.0026

Schlumberger Technology Corporation
 Schlumberger Reservoir Completions
 14910 Airline Road
 P.O. Box 1590
 Rosharon, TX 77583-1590



CONFIRMATION NO. 2236

FORMALITIES LETTER



OC000000012522620

Date Mailed: 05/04/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- \$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

DOCKETED UPDATED
 RESPONSE: Non-Final FINAL

2 mos. _____ 3 mos. _____

Action(s)/Date(s): RESPONSE
09/22/04

XL CPA Scan By: DJS

*A copy of this notice **MUST** be returned with the reply.*

07/22/04 08:50

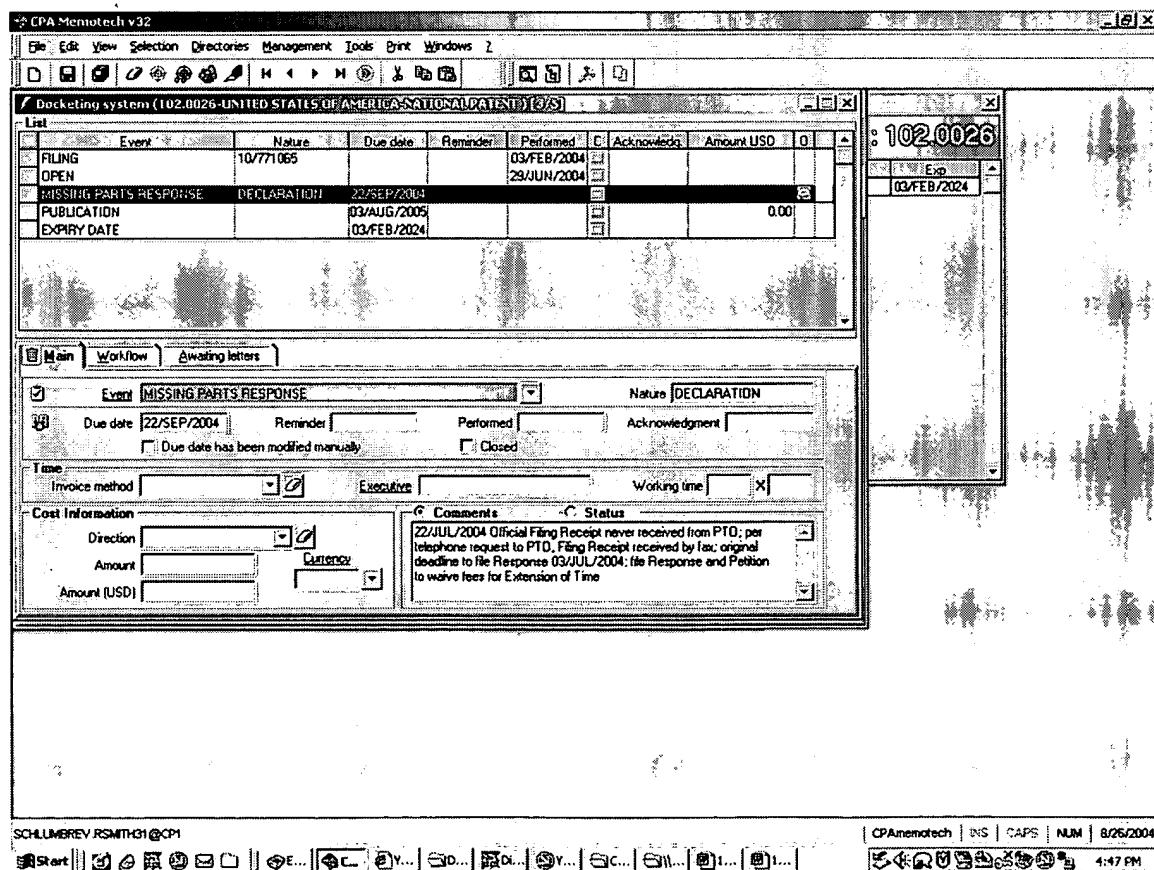
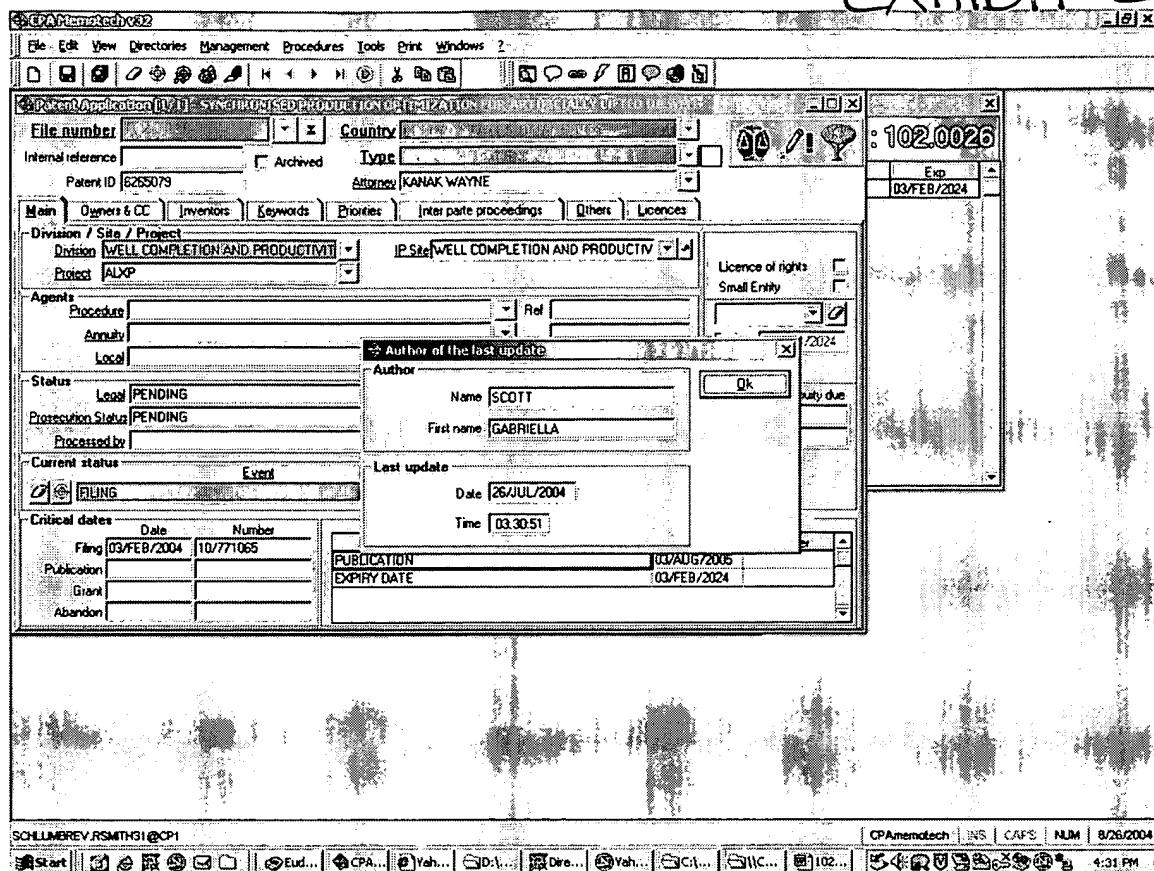


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Page 2 of 2

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Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY

EXHIBIT C



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